

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE

2004 SEP 30 P 4: 23

U.S. DISTRICT COURT
DISTRICT OF MASS.

BRUNO HOFFMAN, Individually and
on behalf of All Others Similarly Situated,

Plaintiff,

v.

PHILIP LAUGHLIN, MICHAEL SABOLINSKI,
ALBERT FRANI, DONNA ABELLI LOPOLITO,
JOHN J. ARCARI, HERBERT M. STEIN, ALAN ADES,
BERNARD A. MARDEN, ALAN W. TUCK,
NOVARTIS PHARMA AG and PRICE
WATERHOUSECOOPERS LLP,

Defendants.

C.A. No. 04-10027-JLT

FILING FEE PAID: 590.25

RECEIPT # 50.00

AMOUNTS 50.00

BY DEPT. CLERK

DATE 10/1/04

MOTION FOR ADMISSION *PRO HAC VICE*

The defendant Novartis Pharma AG by its undersigned counsel, hereby applies, pursuant to this Court's Local Rule 83.5.3, for an order permitting Vincent R. FitzPatrick, Jr., Esq., to appear as its counsel *pro hac vice* in this case.

In support of this motion, undersigned counsel states the following:

1. I, Andrew C. Glass, am an associate in the law firm of Kirkpatrick & Lockhart LLP, attorneys for the defendant Novartis Pharma AG in the above-captioned matter.

2. I am a member of the bar of this Court and file my appearance in this action simultaneously herewith.

3. Under Local Rule 83.5.3, a member in good standing of the bar of any United States district court or the bar of the highest court of any state may appear, by permission of the Court, in any case in this Court upon certificate that: (1) the attorney is a member in good standing in every jurisdiction where the attorney has been admitted to practice; (2) there are no

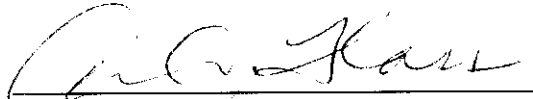
disciplinary proceedings pending against the attorney; and (3) the attorney is familiar with the applicable Local Rules.

4. As reflected in the Certificate attached as Exhibit A to this Motion, Vincent R. FitzPatrick, Jr., Esq., meets all of the requirements for *pro hac vice* admission as set forth in Local Rule 83.5.3(b).

WHEREFORE, the undersigned respectfully moves this Court to sign the Order (attached hereto as Exhibit B) granting this Motion for Admission *Pro Hac Vice*.

NOVARTIS PHARMA AG,

By its attorneys,

A handwritten signature in black ink, appearing to read "Rory FitzPatrick", is written over a horizontal line.

Rory FitzPatrick (BBO #169960)

Andrew C. Glass (BBO #638362)

KIRKPATRICK & LOCKHART LLP

75 State Street

Boston, MA 02109

(617) 261-3100

Dated: September 30, 2004

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BRUNO HOFFMAN, Individually and
on behalf of All Others Similarly Situated,

Plaintiff,

v.

PHILIP LAUGHLIN, MICHAEL SABOLINSKI,
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NOVARTIS PHARMA AG and PRICE
WATERHOUSECOOPERS LLP,

Defendants.

C.A. No. 04-10027-JLT

**CERTIFICATE IN SUPPORT OF MOTION
TO PERMIT COUNSEL TO APPEAR *PRO HAC VICE***

Pursuant to Rule 83.5.3(b) of the Local Rules of this Court and in support of the attached Motion to Permit Counsel to Appear *Pro Hac Vice*, I, Vincent R. FitzPatrick Jr., having been duly sworn, on my oath do say as follows:

1. I am a member in good standing of the bar of the (i) State of New York, (ii) United States District Court for the Southern District of New York, (iii) United States District Court for the Eastern District of New York, (iv) United States Court of Appeals for the Second Circuit, (v) United States Court of Appeals for the Eighth Circuit, and (vi) United States Court of Appeals for the Ninth Circuit.
2. I am a partner in the law firm of White & Case LLP.

3. There are no disciplinary proceedings pending (nor have any ever been brought) against me as a member of the bar in any jurisdiction.

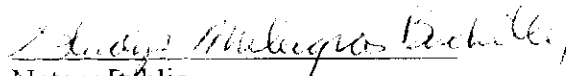
4. I have been provided with the Local Rules of the United States District Court for the District of Massachusetts and I am familiar with them.



Vincent R. FitzPatrick, Jr.

SWORN TO AND SUBSCRIBED

before me this 24th day
of September, 2004.



Notary Public
My commission expires: 11/30/06

GLADYS MILAGROS BACHILLER
Notary Public, State of New York
No. 01UB4819173
Qualified in Queens County
Certificate Filed in New York County
Commission Expires Nov. 30, 2006

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BRUNO HOFFMAN, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

v.

PHILIP LAUGHLIN, MICHAEL SABOLINSKI,
ALBERT FRANI, DONNA ABELLI LOPOLITO,
JOHN J. ARCARI, HERBERT M. STEIN, ALAN ADES,
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WATERHOUSECOOPERS LLP,

Defendants.

C.A. No. 04-10027-JLT

[PROPOSED] ORDER ON MOTION FOR ADMISSION *PRO HAC VICE*

AND NOW, this ____ day of _____, 2004, upon consideration of the Motion for Admission *Pro Hac Vice* seeking the admission of Attorney Vincent R. FitzPatrick, Jr. of the law firm White & Case LLP, and the Court finding that the Motion should be GRANTED, it is therefore:

ORDERED that Vincent R. FitzPatrick, Jr. shall be, and hereby is, authorized to appear *pro hac vice* in this action.

United States District Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BRUNO HOFFMAN, Individually and on
behalf of All Others Similarly Situated,
Plaintiff,

v.

PHILIP LAUGHLIN, et al.,
Defendants.

C.A. No. 04-10027-JLT

CERTIFICATE OF SERVICE

I, Andrew C. Glass, do hereby certify that on this 30th day of September, I caused the foregoing Motion for Admission *Pro Hac Vice*, to be served by regular, first-class, United States mail upon the following:

David Pastor Peter A. Lagorio Gilman and Pastor, LLP Stonehill Corporate Center 999 Broadway, Suite 500 Saugus, MA 01906	Breton T. Leone-Quick Peter M. Saporoff Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, PC One Financial Center Boston, MA 02111
Nancy F. Gans Moulton & Gans, PC 33 Broad Street, Suite 1100 Boston, MA 02109	Jeffrey B. Rudman Jonathan A. Shapiro Wilmer Cutler Pickering Hale and Dorr LLP 60 State Street Boston, MA 02109
James R. Carroll Skadden, Arps, Slate, Meagher & Flom One Beacon Street 31st Floor Boston, MA 02108	Matthew J. Matule Skadden, Arps, Slate, Meagher & Flom LLP One Beacon Street Boston, MA 02108

KIRKPATRICK & LOCKHART LLP

By: 

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Andrew C. Glass (BBO #638362)

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Attorneys for Novartis Pharma AG